

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr John Hodkinson
20 Westgate Avenue
Ramsbottom
Bury
BL0 9SS

On Behalf Of:

Mr Stan Walker
Five Acre Farm
90 Watling Street
Tottington
Bury
BL8 3QW

PART 1 - Particulars of Application

Application Number: 67389

Date of Registration: 06/09/2021

Proposal:

Detached bungalow to replace stables and barn

Location:

Five Acre Farm, 90 Watling Street,
Tottington, Bury, BL8 3QW

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings n- Proposed site plan dwg 3A; Proposed plans and elevations dwg 4C and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and

subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 4 Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 5 Prior to occupation the applicant shall provide 1 electric vehicle (EV) chargepoint (minimum 7kW*) for each dwelling.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

- 6 The development hereby approved shall incorporate a native hedge or trees and the provision of a bat/bird box/s. The measures shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 7 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Photographic dilapidation survey of the adopted highway abutting the site access in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections to the new dwelling;
- Access point(s) for demolition/construction traffic from the adopted highway;
- Proposed site hoardings (if proposed) clear of adequate visibility splays at the junction with Watling Street;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;

- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of both periods.

The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 8 The development hereby approved shall not be first occupied unless and until the access improvements and bin storage arrangements indicated on approved plan reference 4 Revision C, incorporating measures to prevent the discharge of surface water onto the adopted highway, have been implemented in full to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential development, H2/2 - The Layout of New Residential Development, EN5/1 - New Development and Flood Risk and HT6/2 - Pedestrian/Vehicular Conflict.
- 9 The turning facilities indicated on approved plan reference 4 Revision A shall be provided before the development hereby approved is first occupied and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary development Plan Policies H2/1 - The Form of New Residential development, H2/2 - The Layout of New Residential Development, HT2/4 - Car Parking and New development and HT6/2 - Pedestrian/Vehicular Conflict.
- 10 The car parking indicated on approved plan reference 4 Revision A shall be made available for use to the written satisfaction of the Local Planning Authority prior to the dwelling hereby approved being first occupied and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 11 The development hereby approved shall be carried out in accordance with the materials details shown on plan 4 rev C and detailed in the application form.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design, EN2/1 - The Form of New Residential Development, EN9/1 - Special Landscape Area and OL7/2 - West Pennine Moors of Bury Unitary Development Plan.
- 12 The development hereby approved shall be carried out in accordance with a Sustainable Drainage Scheme based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). The Scheme shall be implemented prior to first occupation and thereafter maintained.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 13 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- H1/2 H1/2 - Further Housing Development
- H2/1 H2/1 - The Form of New Residential Development
- H2/6 H2/6 - Garden and Backland Development
- EN1/1 EN1/1 - Visual Amenity
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/3 EN1/3 - Landscaping Provision
- EN6 EN6 - Conservation of the Natural Environment
- EN6/3 EN6/3 - Features of Ecological Value
- EN7 EN7 - Pollution Control
- EN7/2 EN7/2 - Noise Pollution
- EN7/5 EN7/5 - Waste Water Management
- EN8 EN8 - Woodland and Trees
- EN9/1 EN9/1 - Special Landscape Areas
- OL1/2 OL1/2 - New Buildings in the Green Belt
- OL7/2 OL7/2 - West Pennine Moors
- HT2/4 HT2/4 - Car Parking and New Development
- HT5/1 HT5/1 - Access For Those with Special Needs
- HT6/2 HT6/2 - Pedestrian/Vehicular Conflict

SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD 9	Development Control Policy Guidance Note 9 - Conversion and Re-use of Buildings in the Green Belt
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Proposed site plan dwg 3A; Proposed plans and elevations dwg 4C

NOTES TO APPLICANT

- . INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites.

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

- . Whilst the buildings have been assessed as low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
- . The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to

safeguard the nest(s).

The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of any highway remedial works that may be required as a result of the proposed development. The cost of the works will be the responsibility of the developer.

The applicant's attention is drawn to Section 80 of the Building Act 1984 and the need to give six weeks prior written notice to the Department for Business Growth and Infrastructure detailing any proposed demolition works in connection with the proposed development

The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the

following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities,

the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for

adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for

the life of the assets. Therefore, should this application be approved and the applicant

wishes to progress a Section 104 agreement, we strongly recommend that no construction

commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried

out prior to the technical assessment being approved is done entirely at the developers own

risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website

<http://www.unitedutilities.com/buildersdevelopers.aspx>

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

Water supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If

reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings)

Regulations 1999.

United Utilities' property, assets and infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers

must not be compromised either during or after construction.

For advice regarding protection of United Utilities' assets, the applicant should contact the

teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship

between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out

how to purchase a sewer and water plan from United Utilities, please visit the Property

Searches website; <https://www.unitedutilities.com/property-searches/>. You can also view

the plans for free. To make an appointment to view our sewer records at your local authority

please contact them direct, alternatively if you wish to view the water and the sewer records

at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an

appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory

sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter

further.

For any further information regarding Developer Services and Planning, please visit our

website at <http://www.unitedutilities.com/builders-developers.aspx>

Signed:

A handwritten signature in black ink, appearing to read 'for havi'.

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On behalf of the Council

Date of Decision: 21/04/2022